

Atty. Dkt. No. 213202.00506

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: Not Yet Assigned
IAN M. PENN, ET AL.)	
	:	Group Art Unit: Not Yet Assigned
Appln. No.: Not Yet Assigned)	
	:	
Filed: May 21, 2004)	Confirmation No.: Not Yet Assigned
	:	
For: EXPANDABLE STENT AND)	
METHOD FOR DELIVERY	:	
OF SAME)	May 21, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. In accordance with current practice, only copies of foreign patent documents and other documents are enclosed. The copy of JP 6-41745, along with the translation, and all of the non-patent literature documents including "A New Expandable Metallic Stent For Dilatation of Stenotic Tubular Structures: Experimental And Clinical Evaluation" by C. Chamsangavej, et al. and marked "Company Confidential" were obtained from the file history for U.S. Published Application 2002/0052646.

FORMAL MATTERS

In accordance with 37 C.F.R. § 1.97(b)(1), an information disclosure statement shall be considered by the Office if filed by the applicant within three months of the filing date of

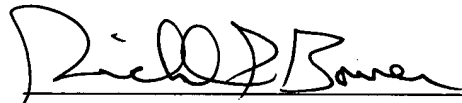
a national application other than a continued prosecution application under § 1.53(d). Applicants believe that neither a certificate, petition nor payment of a fee is required for this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fee which may be required in connection with this paper to Deposit Account No. 50-1710.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202)-625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard P. Bauer", written over a horizontal line.

Attorney for Applicants
Richard P. Bauer
Registration No. 31,588

PATENT ADMINISTRATOR
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061

FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary) Date Submitted to PTO: May 21 2004			ATTY DOCKET NO. 213202.00506		APPLICATION NO. NYA		
			APPLICANT IAN M. PENN, ET AL.				
			FILING DATE May 21, 2004			GROUP NYA	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	3,657,774	Apr. 25, 1972	Reynolds	24	73 CF		
	3,993,078	Nov. 23, 1976	Bergentz et al.	128	334 R		
	4,503,569	Mar. 12, 1985	Dotter	3	1.4		
	4,553,545	Nov. 19, 1985	Maass et al.	128	341		
	4,580,568	Apr. 8, 1986	Gianturco	128	345		
	4,655,771	Apr. 7, 1987	Wallsten	623	1		
	4,681,110	Jul. 21, 1987	Wiktor	128	343		
	4,733,665	Mar. 29, 1988	Palmaz	128	343		
	4,739,762	Apr. 26, 1988	Palmaz	128	343		
	4,762,128	Aug. 9, 1988	Rosenbluth	128	343		
	4,768,507	Sep. 6, 1988	Fischell et al.	128	303 R		
	4,795,458	Jan. 3, 1989	Regan	623	1		
	4,800,882	Jan. 31, 1989	Gianturco	128	343		
	4,830,003	May 16, 1989	Wolff et al.	128	343		
	4,856,516	Aug. 15, 1989	Hillstead	128	343		
	4,878,906	Nov. 7, 1989	Lindemann et al.	623	1		
	4,886,062	Dec. 12, 1989	Wiktor	128	343		
	4,907,336	Mar. 13, 1990	Gianturco	29	515		
	4,954,126	Sep. 4, 1990	Wallstén	600	36		
	4,969,458	Nov. 13, 1990	Wiktor	606	194		
EXAMINER			DATE CONSIDERED				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 1 of 9

FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) <i>(Use several sheets if necessary)</i> Date Submitted to PTO: May 21, 2004			ATTY DOCKET NO. 213202.00506		APPLICATION NO. NYA		
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,994,071	Feb. 19, 1991	MacGregor	606	194	
		5,019,085	May 28, 1991	Hillstead	606	108	
		5,037,392	Aug. 6, 1991	Hillstead	604	96	
		5,035,706	Jul. 30, 1991	Giantureo et al.	606	198	
		5,041,126	Aug. 20, 1991	Gianturco	606	195	
		5,061,275	Oct. 29, 1991	Wallstén et al.	623	1	
		5,102,417	Apr. 7, 1992	Palmaz	606	195	
		5,104,404	Apr. 14, 1992	Wolff	623	1	
		5,108,417	Apr. 28, 1992	Sawyer	606	198	
		5,116,365	May 26, 1992	Hillstead	623	1	
		5,133,732	Jul. 28, 1992	Wiktor	606	195	
		5,135,536	Aug. 4, 1992	Hillstead	606	195	
		5,139,480	Aug. 18, 1992	Hickle et al.	604	8	
		5,147,385	Sep. 15, 1992	Beck et al.	623	1	
		5,161,547	Nov. 10, 1992	Tower	128	898	
		5,192,307	Mar. 9, 1993	Wall	623	1	
		5,195,984	Mar. 23, 1993	Schatz	606	195	
		5,197,987	Mar. 30, 1993	Koch et al.	623	20	
		5,201,901	Apr. 13, 1993	Harada et al.	606	198	
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	5,266,073	Nov. 30, 1993	Wall	623	1	
	5,269,802	Dec. 14, 1993	Garber	606	191	
	5,282,823	Feb. 1, 1994	Schwartz et al.	606	198	
	5,282,824	Feb. 1, 1994	Gianturco	606	198	
	5,290,305	Mar. 1, 1994	Inoue	606	191	
	5,292,331	Mar. 8, 1994	Boneau	606	198	
	5,314,472	May 24, 1994	Fontaine	623	12	
	5,316,023	May 31, 1994	Palmaz et al.	128	898	
	5,342,387	Aug. 30, 1994	Summers	606	198	
	5,383,892	Jan. 24, 1995	Cardon et al.	606	198	
	5,395,390	Mar. 7, 1995	Simon et al.	606	198	
	5,405,377	Apr. 11, 1995	Cragg	623	1	
	5,421,955	Jun. 6, 1995	Lau et al.	216	48	
	5,443,498	Aug. 22, 1995	Fontaine	623	1	
	5,443,500	Aug. 22, 1995	Sigwart	623	1	
	5,449,373	Sep. 12, 1995	Pinchasik et al.	606	198	
	5,458,615	Oct. 17, 1995	Klemm et al.	606	198	
	5,496,365	Mar. 5, 1996	Sgro	623	1	
	5,507,767	Apr. 16, 1996	Maeda et al.	606	198	

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	5,507,771	Apr. 16, 1996	Gianturco	606	198	
	5,514,154	May 7, 1996	Lau et al.	606	195	
	5,522,880	Jun. 4, 1996	Barone et al.	623	1	
	5,527,354	Jun. 18, 1996	Fontaine et al.	623	1	
	5,540,712	Jul. 30, 1996	Kleshinski et al.	606	198	
	5,569,295	Oct. 29, 1996	Lam	606	198	
	5,575,771	Nov. 19, 1996	Walinsky	604	96	
	5,575,817	Nov. 19, 1996	Martin	623	1	
	5,591,197	Jan. 7, 1997	Orth et al.	606	198	
	5,603,721	Feb. 18, 1997	Lau et al.	606	195	
	5,607,442	Mar. 4, 1997	Fischell et al.	606	191	
	5,623,771	Apr. 29, 1997	Winheim	34	585	
	5,628,787	May 13, 1997	Mayer	623	1	
	5,634,941	Jun. 3, 1997	Winston et al.	623	1	
	5,639,278	Jun. 17, 1997	Dereume et al.	623	1	
	5,643,312	Jul. 1, 1997	Fischell et al.	606	198	
	5,643,340	Jul. 1, 1997	Nunokawa	623	1	
	5,653,743	Aug. 5, 1997	Martin	623	1	
	5,674,278	Oct. 7, 1997	Boneau	623	1	
	5,676,696	Oct. 14, 1997	Marcade	623	1	

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		5,676,697	Oct. 14, 1997	McDonald	623	1	
		5,697,971	Dec. 16, 1997	Fischell et al.	623	1	
		5,693,086	Dec. 2, 1997	Goicoechea et al.	623	1	
		5,709,712	Jan. 20, 1998	Paul et al.	607	27	
		5,733,303	Mar. 31, 1998	Israel et al.	606	198	
		5,755,734	May 26, 1998	Richter et al.	606	194	
		5,755,735	May 26, 1998	Richter et al.	606	194	
		5,755,771	May 26, 1998	Penn et al.	623	1	
		5,776,161	Jul. 7, 1998	Globerman	606	194	
		5,807,404	Sep. 15, 1998	Richter	623	1	
		5,824,040	Oct. 20, 1998	Cox et al.	623	1	
		5,827,320	Oct. 27, 1998	Richter et al.	606	194	
		5,827,321	Oct. 27, 1998	Roubin	606	195	
		5,836,964	Nov. 17, 1998	Richter et al.	606	194	
		5,836,966	Nov. 17, 1998	St. Germain	606	198	
		5,843,120	Dec. 1, 1998	Israel et al.	606	198	
		5,868,783	Feb. 9, 1999	Tower	606	198	
		5,879,370	Mar. 9, 1999	Fischell et al.	606	198	
		5,902,332	May 11, 1999	Schatz	623	1	
		5,906,640	May 25, 1999	Penn et al.	623	1	
		5,906,759	May 25, 1999	Richter	219	121.63	
		5,911,754	June 15, 1999	Kanesaka et al.	623	1	
		5,913,895	Jun. 22, 1999	Burpee et al.	623	1	
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		5,922,005	Jul. 13, 1999	Richter et al.	606	192	
		5,922,020	Jul. 13, 1999	Klein et al.	623	1	
		5,931,866	Aug. 3, 1999	Frantzen	623	1	
		5,964,770	Oct. 12, 1999	Flomenblit et al.	606	78	
		5,964,798	Oct. 12, 1999	Imran	623	1	
		5,980,552	Nov. 9, 1999	Pinchasik et al.	606	198	
		5,997,703	Dec. 7, 1999	Richter	204	297	
		6,017,362	Jan. 25, 2000	Lau	623	1	
		6,017,365	Jan. 25, 2000	Von Oepen	623	1	
		6,033,433	Mar. 7, 2000	Ehr et al.	623	1	
		6,042,597	Mar. 28, 2000	Kveen et al.	606	198	
		6,053,940	Apr. 25, 2000	Wijay	623	1	
		6,059,811	May 9, 2000	Pinchasik et al.	606	198	
		6,066,169	May 23, 2000	McGuinness	623	1.16	
		6,068,656	May 30, 2000	Von Oepen	623	1.17	
		6,083,259	Jul. 4, 2000	Frantzen	623	1.15	
		6,086,604	Jul. 11, 2000	Fischell et al.	606	198	
		6,090,127	Jul. 18, 2000	Globerman	606	194	
		6,090,133	Jul. 18, 2000	Richter et al.	623	1	
		6,099,455	Aug. 8, 2000	Columbo et al.	600	3	
		6,106,548	Aug. 22, 2000	Roubin et al.	623	1.15	
		6,114,049	Sep. 5, 2000	Richter	428	571	
		6,117,156	Sep. 12, 2000	Richter et al.	606	194	
		6,117,165	Sep. 12, 2000	Becker	623	1	
		6,123,721	Sep. 26, 2000	Jang	623	1	
		6,129,754	Oct. 10, 2000	Kanesaka et al.	623	1	
		6,156,052	Dec. 5, 2000	Richter et al.	606	191	
		6,159,237	Dec. 12, 2000	Alt et al.	623	1.11	
		6,171,334 B1	Jan. 9, 2001	Cox	623	1.15	
		6,179,867 B1	Jan. 30, 2001	Cox	623	1.15	
		6,179,868 B1	Jan. 30, 2001	Burpee et al.	623	1.17	
		6,183,507 B1	Feb. 6, 2001	Lashinski et al.	623	1.15	
		6,190,403 B1	Feb. 20, 2001	Fischell et al.	623	1	
		6,190,405 B1	Feb. 20, 2001	Culombo et al.	623	1.15	
		6,190,406 B1	Feb. 20, 2001	Duerig et al.	623	1.23	
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	6,193,744 B1	Feb. 27, 2001	Ehr et al.	623	1		
	6,193,747 B1	Feb. 27, 2001	von Oepen	623	1.15		
	6,197,048 B1	Mar. 6, 2001	Richter	623	1.15		
	6,200,334 B1	Mar. 13, 2001	Jang	623	1.1		
	6,203,569 B1	Mar. 20, 2001	Wijay	623	1.15		
	6,231,598 B1	May 15, 2001	Berry et al.	623	1.15		
	6,238,401 B1	May 29, 2001	Richter	606	108		
	6,251,133 B1	Jun. 26, 2001	Richter et al.	623	1.16		
	6,273,911 B1	Aug. 14, 2001	Cox et al.	623	1.15		
	6,287,336 B1	Sep. 11, 2001	Globerman et al.	623	1.3		
	6,299,755 B1	Oct. 9, 2001	Richter	205	651		
	6,315,794 B1	Nov. 13, 2001	Richter	623	1.34		
	6,355,059 B1	Mar. 12, 2002	Richter et al.	623	1.17		
	6,375,677 B1	Apr. 23, 2002	Penn et al.	623	1.16		
	6,547,817 B1	Apr. 15, 2003	Fischell et al.	623	1.16		
	2001/0000043 A1	Mar. 15, 2001	Israel et al.	606	198		
	2001/0001317 A1	May 17, 2001	Duerig et al.	623	1.15		
	2002/0052646 A1	May 2, 2002	Fischell et al.	623	1.15		
	2003/0114868 A1	Jun. 19, 2003	Fischell et al.	606	159		

FOREIGN PATENT DOCUMENTS							
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT		
WO 01/00112 A1	4 JAN 2001	PCT	A61F 2	06			
WO 01/15632 A1	8 MAR 2001	PCT	A61F 2	06			
WO 00/28922	25 May 2000	PCT	A61F 2	06			
WO 00/49971	31 AUG 2000	PCT	A61F 2	06			
WO 00/53112	14 SEP 2000	PCT	A61B 18	12			
WO 98/22159 A3 Corrected Version	28 MAY 1998	PCT	A61F 2	06			
WO 98/33546	6 AUG 1998	PCT	A61M 29	00			
WO 97/33532	18 SEP 1997	PCT	A61F 2	06			
WO 97/32544	12 SEP 1997	PCT	A61F 2	06			
WO 97/32543	12 SEP 1997	PCT	A61F 2	06			
WO 97/04721	13 FEB 1997	PCT	A61F 2	06			
WO 96/14028	17 MAY 1996	PCT	A61F 2	06			

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		WO 96/03092 A1	8 FEB 1996	PCT	A61F 2	02	
		WO 96/02295 A1	1 FEB 1996	PCT	A61M 29	02	
		WO 95/31945 A1	1 FEB 1996	PCT	A61F 2	06	
		WO 95/09584	13 APR 1995	PCT	A61F 2	06	Abstract in English
		WO 94/12136	9 JUN 1994	PCT	A61F 21	06	
		CA 2,185,740	18 MAR 1998	Canada	A61F 2	06	
		CA 2,175,722	4 NOV 1997	Canada	A61F 2	04	
		CA 2,171,047	6 SEP 1997	Canada	A61F 2	06	
		CA 2,134,997	4 MAY 1996	Canada	A61F 2	04	
		CA 1,245,527	29 NOV 1988	Canada	A61M 29	00	
		CA 1,239,755	2 AUG 1988	Canada	A61F 2	00	
		EP 0 709 067 A2	1 MAY 1995	Europe	A61F 2	06	
		EP 0 669 114 A1	30 AUG 1995	Europe	A61F 2	06	
		EP 0 566 807 A1	27 OCT 93	Europe	A61F 2	06	No
		EP 0 505 686 A1	30 SEP 1992	Europe	A61F 2	06	
		EP 0 045 627	2 OCT 1982	Europe	F16L 13	00	
		FR 2,678,508	8 JAN 1993	France	A61F 2	06	No
		DE 295 16712 U1	2 AUG 1996	Germany	F16S _	08	No
		JP 6-41745	3 JUN 1994	Japan	A61M 29	02	Yes
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OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)			
		Lawrence et al., "Percutaneous Endovascular Graft: Experimental Evaluation," 1987 RSNA Annual Meeting, RADIOLOGY, Vol. 163, pp. 357-60 (May 1987).	
		Mirich et al., "Percutaneously Placed Endovascular Grafts for Aortic Aneurysms: Feasibility Study," RADIOLOGY, vol. 170, pp. 1033-37 (1989).	
		Fallone et al., "Elastic Characteristics of the Self-Expanding Metallic Stents," INVESTIGATIVE RADIOLOGY, Vol. 23, pp. 370-76 (May 1988).	
		Charnsangavej et al., "Stenosis of the Vena Cava: Preliminary Assessment of Treatment with Expandable Metallic Stents," RADIOLOGY, 1986 161:295-98.	
		Rösch et al., "Gianturco Expandable Stents in Experimental and Clinical Use," March 24, 1987, pp. 121-124.	
		Wallace, et al., "Tracheobronchial Tree: Expandable Metallic Stents Used in Experimental and Clinical Applications - Work in Progress," RADIOLOGY, 158:309-12 (1986).	
		Rösch et al., "Experimental Intrahepatic Protacaval Anastomosis: Use of Expandable Gianturco Stents," RADIOLOGY, 162:481-85 (1987).	
		Rösch et al., "Modified Gianturco Expandable Wire Stents in Experimental and Clinical Use," ANN RADIOL., 31:100-03 (1988).	
		Charnsangavej et al., "A New Expandable Metallic Stent for Dilatation of Stenotic Tubular Structures: Experimental and Clinical Evaluation," HOUSTON MEDICAL JOURNAL, Vol. 3, June 1987, pp. 41-51.	
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EXAMINER		DATE CONSIDERED	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.